
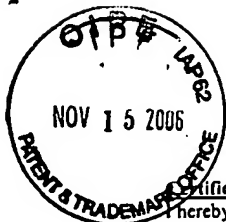


Application Number 	Application/Control No. 10/677,591	Applicant(s)/Patent under Reexamination MCINTOSH ET AL.	
Document Code - DISQ		Internal Document – DO NOT MAIL	

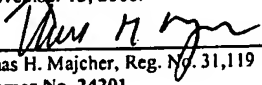
TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 11/15/06	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Pat. No. 6,679,909 has been verified -- JH -- 12/11/06



HW

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Attn: Examiner, Michael G. Mendoza, Commissioner for Patents, P.O.
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on November 13, 2006.


Thomas H. Majcher, Reg. No. 31,119
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Appln. No. : 10/677,591 Confirmation No. 8198
Applicant : Winnette S. McIntosh et al.
Filed : October 1, 2003
Art Unit : 3731
Examiner : Uyen T. Ho
Title : A RAPID EXCHANGE DELIVERY SYSTEM FOR SELF-
EXPANDING STENT

Docket No.: : ACSES 65490 (2606D) Los Angeles, California
Customer No. : 24201 November 13, 2006

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(C))


Dear Sir:


The owner, Advanced Cardiovascular Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,679,909 issued to Winnette S. McIntosh, et al. on January 20, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent(s), as presently shortened by any terminal disclaimer, in the event that either later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Please charge the terminal disclaimer fee under 37 C.F.R. § 1.20(d) in the amount of \$130.00 and any additional fees or credit any overpayment to Deposit Account No. 06-2425. The undersigned is an attorney of record.

Respectfully submitted,
FULWIDER PATTON LLP

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